

Beth E. Borowsky, et al.  
U.S. Serial No: Not Yet Known  
(§371 National Stage Application  
of PCT/US00/14654, filed May 26, 2000)  
Filed: Herewith  
Page 5

In accordance with 37 C.F.R. §1.821 (e), please use the computer readable form filed in PCT International Application No. PCT/US00/14654 on May 26, 2000 as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the Sequence Listing that will be used for the instant application.

Accordingly, applicants respectfully request that the Amendment be entered.

#### Information Disclosure Statement

In accordance with their duty of disclosure under 37 C.F.R. § 1.56, applicants would like to direct the Examiner's attention to the following disclosures which are listed on the attached Form PTO-1449 (**Exhibit 3**) and which were previously cited in connection with the prosecution of U.S. Serial Nos. 09/413,433 or PCT International Application No. PCT/US00/14654 from which the subject application claims benefit under 35 U.S.C. §120. According to 37 C.F.R. §1.98(d), copies of patents or publications that were previously cited by, or submitted to, the Office in connection with such prior applications need not accompany the Information Disclosure Statement. Accordingly, copies of the following references are not attached to this Information Disclosure Statement:

1. European Patent Application EP 0859055 A1, published August

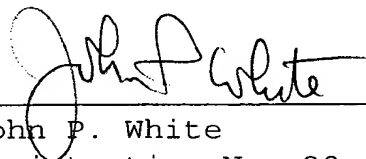
Beth E. Borowsky, et al.  
U.S. Serial No: Not Yet Known  
(§371 National Stage Application  
of PCT/US00/14654, filed May 26, 2000)  
Filed: Herewith  
Page 6

- 19, 1998;
2. UK Patent Application 2,312,211, published October 22,  
1997;
3. Bunzow, et al. (Locus AF200627, GenEmbl, 2000);

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicant's undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee, other than the \$546.00 filing fee for the subject application, is deemed necessary in connection with the filing of this Preliminary Amendment. However, if additional any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
Attorney for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

**INTERNATIONAL FORM**

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Cooper & Dunham LLP  
Attn: John P. White, Esq.  
1185 Avenue of the Americas  
New York, NY 10036

Deposited on Behalf of: Synaptic Pharmaceutical Corporation

**Identification Reference by Depositor:**

Human Embryonic Kidney Cell line - 293: 293-ratSNORF33-31  
(Ref: Docket or Case No.: 59338-B-PCT)  
Cell line - Chinese Hamster Ovary (CHO): CHO-ratSNORF33-7  
(Ref: Docket or Case No.: 59338-B-CHO)

**Patent Deposit Designation**

PTA-1806

PTA-1807

The deposits were accompanied by:    a scientific description, a proposed taxonomic description indicated above. The deposits were received May 3, 2000 by this International Depository Authority and have been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested May 26, 2000. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Date: May 30, 2000

  
Barbara E. Coupé, Administrator, Patent Depository

cc:

**U.S. Department of Commerce  
Patent and Trademark Office**

Serial No.
Not yet known

**(Use several sheets if necessary)**

**Applicant**  
Beth E Borowsky, et al.

**Filing Date**  
**Herewith**

Group	Not yet known
-------	---------------

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

		Document Number							Date	Country	Class	Subclass	Translation	
													Yes	No
		0	8	5	9	0	5	5	08/19/98	EPO				
		2	3	1	2	2	1	1	10/22/97	GB				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

		Bunzow, et al. (Locus AF200627, GenEmbl, 2000)

**EXAMINER**

**DATE CONSIDERED**

**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.